

EVENING BULLETIN

Published Every Day Except Sunday
at 129 King Street, Honolulu,
T. H., by the

BULLETIN PUBLISHING CO., LTD.

WALLACE R. FARRINGTON, Editor

Entered at the Postoffice at Honolulu
as second-class matter.

SUBSCRIPTION RATES.

Payable in Advance.

Evening Bulletin.
Per month, anywhere in U. S. \$.75
Per quarter, anywhere in U. S. 2.00
Per year, anywhere in U. S. 8.00
Per year, postpaid, foreign... 11.00
Weekly Bulletin.
Six months... .50
Per year, anywhere in U. S. 1.00
Per year, postpaid, foreign... 2.00

Territory of Hawaii,
Honolulu,
First Judicial Circuit.)

C. G. BOCKUS, Business Manager
of the Bulletin Publishing Company,
Limited, being first duly sworn, on
oath deposes and says: That the fol-
lowing is a true and correct state-
ment of the circulation for the week
ending Friday, September 13, 1907,
of the Daily and Weekly Editions of the
Evening Bulletin:—

Circulation of Evening Bulletin
Saturday, Sept. 7.....3056
Monday, Sept. 9.....2818
Tuesday, Sept. 10.....2846
Wednesday, Sept. 11.....2835
Thursday, Sept. 12.....2811
Friday, Sept. 13.....2815

Average Daily Circulation.....2832

Circulation of Weekly Bulletin
Tuesday, Sept. 10, 1907.....2958

Number of weeklies delivered on
the Island of Hawaii alone, 1316

Combined guaranteed average
circulation.....5790

BULLETIN PUBLISHING CO., LTD.,
by C. G. BOCKUS,
Business Manager.

Subscribed and sworn to before me
this 14th day of September,
(SEAL) Anno Domini, 1907:

P. H. BURNETTE,
Notary Public, First Judicial Circuit.

FRIDAY.....SEPT. 20, 1907.

PERSONAL PROMOTION AND PEARL HARBOR

Jas. F. Morgan undoubtedly ex-
presses the consensus of public opin-
ion when he intimates that the cam-
paign to send L. A. Thurston to
Washington at the public expense is
decidedly out of place and very
poorly timed.

Just why the anxiety to have
Thurston in Washington this winter
and just why the use of the subter-
fuge of Pearl Harbor to promote a
public contribution for this purpose
is not known. Perhaps Thurston
himself does not know. Perhaps
there is an unexpressed aspiration to
shine in the line light with WE
Moses-Smith and others entitled to
use the pronoun WE.

The Territory of Hawaii has a
Delegate in Washington whom Thur-
ston had had to admit stands well.
The Chamber of Commerce also has
a representative in Washington who
also stands well. The Merchants'
Association has a representative in
Washington. There are upwards of
twenty Congressmen who have re-
cently visited Pearl Harbor on the
invitation of the Territory, and we
do not believe one will oppose the
improvement of Pearl Harbor, and
certainly the good sized majority
will actively urge it.

Now what is the immediate ne-
cessity for Thurston?

When Mr. Thurston went to Wash-
ington in the interests of the Hilo
breakwater, it was understood that
he was one of the interested parties
associated with the Hilo railway.

No immediate necessity exists at
present for a private lobbyist in con-
nection with the Pearl Harbor de-
velopment—unless some corporation
is ready to put up the price.

Let the advancement of Pearl Har-
bor be a community, a Territorial,
a National affair. Not a medium to
boost the cause of individual inter-
ests.

The latter will kill it quick.

THE CIVIC KNOCKERS

The letter of the officials of the
Civic Federation regarding the ap-
pointment of an assistant deputy to
the County Attorney of Oahu should
be preserved in the archival pigeon
hole devoted to cheerful idiots.

There are documents in existence
which are equal to this letter as proof
of the utter faithlessness of this
local so-called Civic Federation to
the high principles of good govern-
ment and good citizenship which it
presumes to support. But this is the
only one that has thus far reached
the public.

This outfit which assumes to keep
watch over the morals of the com-
munity degrades itself into a verita-
ble spite house. We assume that it
started with a better character.

Any citizen has a right to speak
his mind in connection with the ap-
pointment of a public officer. Any
organization has the same privilege.
No citizen and no organization of
decent character considers that self-

respect has been satisfied and a civic
duty honestly performed when what-
ever effort is exerted, is devoted to
exclusively to knocking. This is es-
pecially true of the man or the or-
ganization making great claims to
moral virtue.

The Civic Federation executive
committee, in hollow square assem-
bled, announces that it opposes the
appointment of A. M. Brown to a
place in the County Attorney's office.
That is quite sufficient for a knock-
er and organization of knockers to
say.

A man, and an organization of
men inspired by a spirit of fair play,
and prompted by a desire to honest-
ly improve the public service, would
not forget to suggest one whose qual-
ifications are believed to be satisfac-
tory.

The Bulletin has no special in-
terest in the appointment of Mr.
Brown to assist the County Attorney
or anyone else. There is no question,
however, that the persons who have
opposed the man selected by the
County Attorney have gone at it in
a manner to justify all the criticism
ever passed on this town as a com-
munity containing as picturesque an
aggregation of hypocrites as ever
gathered under the black flag of pre-
judice and dishonesty as applied to
civic duty.

The Bulletin has in its pos-
session a document, prepared by a
high and mighty supporter of the
Civic Federation, which a United
States Congressman has said should
properly land him in jail. He might
escape on a legal technicality, but
there is no doubt of the moral turpi-
tude involved.

The letter sent by the Civic Fed-
eration to the Supervisors in connection
with the appointment to the office
of assistant deputy county attorney
should "properly be filed in the
pigeon-hole with the emanations of
cheerful idiots.

If T. V. King made the statement
credited to him in the morning pa-
per, he has written himself as nearly
the perfection of a triple-plated ass
as is ever reached by one who gained
sentience from the crib of public
office. In order not to interfere with
the full enjoyment of his holiday, the
Bulletin will wait a day or two
before giving Mr. King its undivided
attention.

LONG VOYAGE AROUND HORN

The British ship Celtic Chief,
which was looked for with much
anxiety along the waterfront, finally
poked her nose over the horizon and
came into port at 12:30 this after-
noon. She is commanded by Captain
Jones, a well known skipper, and
made the voyage around Cape Horn
in 152 days, according to the state-
ment of one of the crew.

In the absence of Captain Jones,
who had gone ashore, and the mate,
who was too busy to be interviewed,
one of the crew said that they left
Hamburg on the 20th day of April
and arrived here today, making the

AN ODD MISTAKE

When Mrs. Morton returned to her
home at Makiki, after an absence of
a week in the country, she missed
her jewel case, and immediately not-
ified the police that it had been stolen;
it turned out, however, to be a
mistake. Morton, who is a prudent
man, had taken the case and placed
it in the Safety Deposit Vault of the
Henry Waterhouse Trust Company,
Ltd. He says "A man can't afford to
take chances, when absolute security
can be obtained for four dollars a
year."



Real Estate FOR SALE.

Punahou District, 62 1-2x120.
Three bedroom cottage \$2000.00
Punahou District, 69x120. Two
bedroom cottage \$1750.00
Kalihi, 100x100, small cottage
\$1400.00
Puunui—Town building lots ad-
joining, \$175.00 per lot or \$600
for whole.

FOR RENT.

Beretania Street.....\$25.00
Waikiki Beach.....\$30.00
Pensacola Street.....\$30.00
Lunalilo Street.....\$30.00
Matlock Avenue.....\$25.00
Pensacola Street.....\$20.00
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Valley. \$325 per acre.
Beautiful view of sea and
valley.

\$2300 will buy a splendid
home in desirable part of
city. Easy terms.

Trent Trust Co. LIMITED

trip in fully five months. There was
no accident on board the ship during
the voyage except in rounding the
Horn. She encountered strong gales.
She is consigned to T. H. Davies &
Co., and brought a large cargo of
general merchandise for this port.

HART HAS CONFESSED

(Continued from Page 1)
troying public records, withdrew his
bond. The old man has had a stren-
uous time since he signed the bond.
He was evidently not very sure of
the good faith of Hart, and has been
watching every outgoing vessel to
see that Hart did not leave the Ter-
ritory.

While the facts above stated have
been ascertained from absolutely
good authority, Sheriff Iaukea abso-
lutely refused to give out any infor-
mation when he was seen about it.
He evidently had another attack of
a fit of silence of the same nature
as that which possessed him when
he said he knew nothing about the
leach robberies, in spite of the fact
that these had been reported. With
the stubborn perversity of a limited
intellect he maintained his position
that nothing should be given out be-
fore a session of the fire inquest was
held. Such a session will be held
this afternoon at 2 o'clock, when
Hart will for the second time un-
burden his soul to the jurors and
throw light on the mystery.

At 12:17 o'clock this afternoon a
charge of malicious burning in the
second degree was placed against
Hart by Chief Taylor.

HONOLULU WEATHER

September 20.
Temperatures—6 a. m., 75; 8 a.
m., 79; 10 a. m., 80; noon, 81; morn-
ing minimum, 75.
Barometer, 8 a. m., 29.95; abso-
lute humidity, 8 a. m., 6.997 grains
per cubic foot; relative humidity, 8
a. m., 66 per cent; dew point, 8 a.
m., 67.
Wind—6 a. m., velocity 6, direc-
tion E.; 8 a. m., velocity 14, direc-
tion N. E.; 10 a. m., velocity 18, di-
rection N. E.; noon, velocity 14, di-
rection N. E.
Rainfall during 24 hours ended 8
a. m., trace.
Total wind movement during 24
hours ended at noon, 207 miles.
WM. B. STOCKMAN,
Section Director, U. S. Weather Bureau.

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Regatta Day

By carrying one of our
Handsome

Silk Parasols

White with Blue Dots,
Red with White Border,
Solid Blue or Red,
White with Blue Border.

We are also showing a line of
Ties and Handk'chiefs
in Reds and Blues.

Ehlers

We Close Saturday

LIQUOR LAW OF 1907

(Continued from Page 1)

1907, and that the beer was part of
the stock held by him while holding
the license; that he applied for a
license under Act 119 and was refused
by the board of license commis-
sioners; also that before June 30, 1907, he
applied to the board to exchange his
license for a license under Act 119 and
was refused, each application being in
the form required by Act 119. The de-
fendant was found guilty and sen-
tenced to a fine of \$100 and costs \$1,
from which judgment he appealed to
this court on points of law, in sub-
stance, as follows: (1) In providing
for appointment of a board of license
commissioners with authority, in their
discretion, to refuse or grant applica-
tions for licenses and to take evidence
upon the applications with no appeal
from their decisions, the act makes
the board a court with judicial powers
and functions whose acts are not sub-
ject to review or control by any other
court; as the Legislature has no au-
thority to create any but inferior
courts (Sec. 81, Org. Act) the board
is unauthorized by law; (2) the act de-
prives the defendant of his property
without due process of law, contrary
to the 14th amendment, he being pre-
vented by its operation from dispos-
ing, after the expiration of his license,
of the stock of liquors acquired by him
while holding a license under the act
of 1905; (3) the act authorizes the
board of license commissioners to re-
fuse to grant any license and therefore
is a prohibitory law, and yet its title
is "An Act To Regulate The Sale Of
Spiritous Liquors, Repealing Act 67 Of
The Session Laws Of 1905," does not
suggest the subject and therefore the
law is invalid by Sec. 45 of the Or-
ganic Act requiring that "each law
shall embrace but one subject which
shall be expressed in its title;" (4)
the act, in requiring higher license
fees for the sale of liquors manufac-
tured out of the Territory than for
those manufactured in the Territory
by the licensees, violates Sec. 2 of Art
4 of the Constitution giving to citizens
of each state "all privileges and im-
munities of citizens in the several
states," and encroaches upon the ex-
clusive power of Congress to regulate
commerce.

(1) Upon the defendant's conten-
tion that the board of license commis-
sioners is an unauthorized body being
a court and under the supervision of
no other tribunal, it is to be observed
that courts established for adminis-
tration of public justice may have statu-
tory jurisdiction over the subject of
granting or refusing licenses for the
sale of intoxicating liquors or the ju-
risdiction may be given to a designated
official or board which does not there-
by become a court. * * * * *

In determining whether to "grant,
refuse, suspend, revoke, regulate and
control licenses" the board may sub-
poena witnesses, administer oaths to
them and take their testimony, and
although this is a judicial function the
right to exercise it is not of itself
sufficient to constitute the board a
court. * * * * *

No review may be possible as long
as the board observes the limitations
and directions contained in the act.

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and yet the wholesome jurisdiction
established by law continues in full
force to prevent abuses of discre-
tionary power and for the enforcement
of legal rights. In other words, the board
is not above the law which creates it.
(2) We do not sustain the defend-
ant's contention that he is deprived
of his property by reason of anything
contained in Act 119. It does not ap-
pear whether he bought his beer after
or before April 30, 1907, the date of
the approval of the act, but if he
bought it after, he did so with knowl-
edge that he could not sell unless au-
thorized by the license which he then
held or by a license which he ex-
pected to obtain under the new act. If
he bought before that date, he had no
assurance or right to believe that the
license would be renewed to enable
him to sell after its expiration, if the
act should continue in force, or that
the act would not be repealed.

If he bought after the act was ap-
proved, he also knew that he had no
vested right to a license under it.

(3) We do not sustain the defend-
ant's claim that the act is invalid in
containing more than one subject,
namely, prohibition as well as regula-
tion of sales, for the act does not pro-
hibit to any further extent than is
necessary or proper in reasonable regu-
lation of such sales.

The well known reason for requir-
ing a simple and explanatory title in
order that lawmakers may not be mis-
led in passing bills containing sub-
jects of which they are not reasonably
apprised by the title has been stated
in numerous decisions of this court.
Sec. 45, Org. Act. "When the general
purpose is declared in the title, the
means for its accomplishment, being a
penalty, will be presumed to be in-
tended as a necessary incident." * * *

The most prominent feature, per-
haps, of the act under consideration is
not that sales are declared to be un-
lawful if not licensed in conformity
with its requirements but that the
granting of licenses subject to the re-
quirements and directions of the act
is discretionary not, as formerly, with
the minister of the interior or terri-
torial treasurer but with the board of
commissioners.

Counsel for defendant wish us to
construe Sec. 4 of the act as giving the
board of commissioners prohibitory
powers beyond anything that would
properly fall within the regulation re-
ferred to in the title, and then declare
the title too narrow as not including
these powers. But it is the duty of



MISS ADELAIDE NICHOLS

that period of its terrors. Women who are troubled with painful or ir-
regular functions should take immediate action to ward off the serious
consequences and be restored to health and strength by taking

Lydia E. Pinkham's Vegetable Compound

Miss Adelaide Nichols of 324 West 22nd Street, New York City,
writes:—Dear Mrs. Pinkham:—If women who suffer would only rely
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Lydia E. Pinkham's Vegetable Compound cures Female Complaints
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General Debility, Indigestion, and invigorates the whole feminine
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E. Pinkham's Vegetable Compound is excellent.

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Women suffering from any form of female weakness are invited to
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may be located and the quickest and surest way of recovery advised.

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Ask for Quinn
That's all it
costs you for one
hour.

courts to construe the language of an act, if possible, so as to avoid uncon-
stitutionality (U. S. vs. Coombs, 12
Pet. 72), and we should therefore
rather be justified in holding that the
prohibitory powers which might be
implied from Sec. 4 could be exercised
only to such extent as should not in-
terfere with the object of regulation
expressed in the title. Myer vs. Car
Co., 102 U. S. 1, 12. To declare the
act to be invalid because its title is
too narrow to include the provision
for boards of license commissioners or
statement of the powers vested in
them would be an unjust aspersion ers.

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